

FOURTH APPELLATE DISTRICT
DIVISION ONE
AUGUST 23, 2004

D043568 Department of Motor Vehicles v. Karimzadeh

The judgment is reversed and the matter remanded to the trial court with instructions to direct the DMV to make a new decision containing specific supportive findings covering the matters referred to by the trial court in its order of direction. McDonald, J.; We Concur: McConnell, P.J., McIntyre, J.

D044302 People v. Cruz

Upon filing an abandonment, the appeal is dismissed.

D044731 Carlsbad Crest Homeowners Assoc. v. Life Paint Corp.

Pursuant to California Rules of Court, rule 8, the appeal filed July 7, 2004, is dismissed for appellant's failure to timely designate the record.

D041992 Quang v. Tran

Order affirmed. Haller, J.; We Concur: McConnell, P.J., McDonald, J.

D041941 People v. McCowan

The convictions are affirmed. We reverse the true findings on the three enhancement allegations based on McCowan's admissions, and the matter is remanded to the trial court to determine the truth of these allegations and for resentencing if necessary. Haller, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D043450 In re Marriage of Krysinski

Upon written request filed by the appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

D042388 Brown v. Superior Court of San Diego County

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 20(c)(2)).

FOURTH APPELLATE DISTRICT
DIVISION ONE
AUGUST 24, 2004

D043654 In re Williamson on Habeas Corpus

The matter is remanded with direction to strike the order's reference to the 1996 rule violation. In all other respects, the order is affirmed. McDonald, J.; We Concur: McConnell, P.J., Haller, J.

D043846 Oliver v. Department of Corrections et al.

The above referenced appeal is from a civil case of limited jurisdiction. The appeal is dismissed as to this court and transferred to the Appellate Division of the Superior Court of Imperial County.

D042235 In re the Marriage of Lukasik

The order is affirmed. James is entitled to costs on appeal. McDonald, J.;
We Concur: Haller, Acting P.J., McIntyre, J.

D043565 In re Phillip O. et al. Juveniles

Appeal dismissed. McIntyre, J.; We Concur: Benke, Acting P.J., McDonald, J.

D043564 In re Isabel D. et al., a Juvenile

The petition for rehearing is denied.

D042781 People v. Gauthier

The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Benke, J.

D044820 In re Twine

The petition is denied.

D044783 Kidner v. Mein et al.

Appellants having failed to timely pay the filing fee, the appeal is DISMISSED. (Cal. Rules of Court, rule 1(c)(5)).

D044813 In re Vaughn on Habeas Corpus

The petition is denied without prejudice.

**D044703 Schindler Elevator Corporation v. Superior Court of San Diego County/One
Harbor Drive Homeowners Association et al.**

The petition is denied.

D044774 BP West Coast Products v. Superior Court of San Diego County/Cain

The petition is denied.

D044825 In re Thomas J. Trier on Habeas Corpus

The petition is denied.

D043485 In re Angelica T., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

FOURTH APPELLATE DISTRICT
DIVISION ONE
AUGUST 24, 2004 (Continued)

D044621 Pamela S. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Pamela S. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D044700 Vanessa A. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Vanessa A. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D044657 Okera B. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Arturo B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed. The case as to Arturo B. is dismissed.

FOURTH APPELLATE DISTRICT
DIVISION ONE
AUGUST 25, 2004

D044879 In re Marriage of Mork

The petition for writ of supersedeas and request for stay have been read and considered by Presiding Justice McConnell and Associate Justices McDonald and McIntyre. The petition is denied.

D042320 Hilliard et al. v. Braemer Partnership

For the foregoing reasons, the judgment is affirmed. Irion, J.; We Concur: McIntyre, Acting P.J., O'Rourke J.

D041453 Liu et al. v. West Coast Restaurant Enterprises LLC

Judgment affirmed. Respondents to recover their costs on appeal. Irion, J.; We Concur: McDonald, Acting P.J., O'Rourke, J.

D043949 Blumenthal et al. v. FSC Securities Corporation

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

D042386 People v. Cloud

The judgment is affirmed. Nares, Acting P.J.; I Concur: O'Rourke, J; I Dissent (by opinion): McDonald, J.

D043853 Madlain, Inc., v. Pepsi Bottling Group, Inc.

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

D044657 Okera B. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Okera B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

FOURTH APPELLATE DISTRICT
DIVISION ONE
AUGUST 26, 2004

D044130 In re Destiny C., a Juvenile

The judgment is affirmed. McConnell, P.J.; We Concur: Haller, J., Irion, J.

D044536 In re A.H. a Juvenile

The appeal is dismissed. Irion, J.; We Concur: McConnell, P.J., Haller, J.

D044819 In re Everett M. on Habeas Corpus

At the request of petitioner, the petition for writ of habeas corpus is dismissed.

D042697 Davis-Hogan et al. v. Abrams et al.

The order is affirmed. Costs are awarded to plaintiffs and respondents. Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D043227 In re the Marriage of Aspeitia

The order is reversed. All parties are to bear their own costs. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

D044883 Toyota Motor Sales U.S.A., Inc. v. Superior Court of San Diego County/Bozir

The petition is denied.

D042279 Jamul Indian Village v. Webb

That portion of the trial court's order awarding Webb pro se attorney fees is reversed. In all other respects, the order is affirmed. Jamul is entitled to its costs on appeal. McIntyre, J.; We Concur: McConnell, P.J., McDonald, J.

D043005 People v. Flores

The judgment is affirmed. McIntyre, J.; We Concur: McConnell, P.J., Haller, J.

D041118 People v. Scales

The petition for rehearing is denied.

FOURTH APPELLATE DISTRICT
DIVISION ONE
AUGUST 27, 2004

D044392 Sidnee T. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. Haller, Acting P.J.; We Concur: McIntyre, J., Irion, J.

D044858 Murray v. Superior Court of San Diego County/People

The petition is denied.

D044901 In re Marriage of Walters

The petition for writ of supersedeas is denied.

D044859 In re Higgins on Habeas Corpus

The petition is denied.

D044908 McMillin Real Estate & Mortgage Company, Inc. v. Amkhanitsky

The appeal is dismissed.